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IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

BARBARA SMITH and GARY SMITH,

Plaintiffs,

v.

Case No.: 3:20-cv-00851-AC

ETHICON, INC., et al.,

**AMENDED JOINT PROPOSED CASE
MANAGEMENT SCHEDULE**

Defendants.

AMENDED JOINT PROPOSED CASE MANAGEMENT SCHEDULE

Pursuant to this Court's Minutes of Proceeding dated September 22, 2020 (Dkt. No. 126), Plaintiff Barbara Smith and Defendants Ethicon, Inc., and Johnson & Johnson (each a "Party" and collectively, the "Parties"), submit the following Amended Joint Proposed Case Management Schedule.

This case was transferred from the Ethicon MDL pending in the Southern District of West Virginia on May 14, 2020. (Dkt. No. 80). On June 18, 2020, the Court held a telephonic status conference (Dkt. No. 105), ordering the parties to confer regarding certain issues and submit a proposed scheduling order by July 9, 2020. On July 9, 2020, the Parties filed a Joint Status Report. (Dkt. No. 106). On August 28, 2020, the Parties filed a Proposed Joint Case Management Schedule. (Dkt. No. 115). On September 22, 2020, the Court held a Telephone Status Conference, during which the Court ordered the Parties to present proposed deadlines for completing additional discovery allowed during that hearing. (Dkt. No. 126).

Based on the number of cases remanded from the MDL in which counsel for both Parties are involved and the overlap in expert and company witnesses with conflicting dates of recent

trials that have been set in other jurisdictions, along with anticipated delay in obtaining the deposition of treating providers in the next few months due to the COVID-19 pandemic, the Parties jointly propose the following amended case management schedule:

1. June 24, 2021: Deadline for the supplemental deposition of Plaintiff, treating physician depositions, and Friends and Family Depositions.
2. July 12, 2021: Deadline for supplemental report, if any, of Plaintiff's previously designated case-specific experts.
3. July 26, 2021: Deadline for supplemental report, if any, of Defendants' previously designated case-specific experts.
4. August 3, 2021: Deadline to complete all discovery (fact and case-specific expert).

DATED: April 23, 2021

Respectfully submitted,

/s/ Diane Lenkowsky

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